



**STATEMENT OF PROCEEDINGS
FOR THE LOS ANGELES COUNTY
SUPERVISORIAL DISTRICT
BOUNDARY REVIEW COMMITTEE
KENNETH HAHN HALL OF ADMINISTRATION
500 WEST TEMPLE STREET, ROOM 381B
LOS ANGELES, CALIFORNIA 90012**

Wednesday, June 1, 2011

3:00 PM

ROLL CALL

Present: Chair Pedersen, Vice Chair Holoman, Commissioner Reyes, Commissioner Martinez, Commissioner Ollague, Commissioner Harris, Commissioner Friedman, Commissioner Acebo, Commissioner Flores, Commissioner Hatanaka, Commissioner Napolitano, Commissioner Hoffenblum, Commissioner Sun and Commissioner Mejia

Excused: Commissioner Andrade, Commissioner Choi, Commissioner Escandon, Commissioner Hollister, Commissioner Hernandez and Commissioner Tse

I. ADMINISTRATIVE MATTERS

1. Call to order and introduction by Chair Pedersen. (11-2630)

The meeting was called to order by Chair Pedersen at 3:15 p.m.

2. Approval of Minutes from the meeting of May 18, 2011. (11-2631)

On motion of Commissioner Hoffenblum, seconded by Commissioner Sun, this item was approved.

Attachments: [SUPPORTING DOCUMENT_Minutes](#)

II. REPORTS

3. Report on Boundary Review Committee community outreach meetings. (11-2637)

Mr. Martin Zimmerman of the Chief Executive Office (CEO) reported that all Community outreach meetings have been concluded; the final two meetings were held on May 17 in Castaic and May 19 in Lancaster. Summaries of the meetings, including the public input that was provided, are being posted to the redistricting website as they become available.

4. Report on status of redistricting software, redistricting website activity, and "Open House" public assistance sessions. (11-2638)

Mr. Zimmerman reported that there were no new issues regarding the redistricting software. The open house sessions have been held as scheduled, after the Boundary Review Committee (BRC) meetings, and there is an open house session scheduled after today's BRC meeting.

Ms. Susan Herman, of the Chief Executive Office reported that there have been 18,521 unique individual visits to the redistricting website. On average, users are visiting approximately eight and a half pages, with May 25, 2011 being the busiest day since the launch of the redistricting website. The most popular pages visited include; submitted plans, creating a plan, using the County software and preparing a plan.

Commissioner Reyes inquired about where referrals to the County's redistricting website are coming from.

Ms. Herman responded that the majority of users are being referred to the redistricting website via links from other websites such as; the Board of Supervisors, County departments, and neighborhood councils. The smallest number of referrals is from search engines.

Commissioner Martinez inquired about the possibility of e-mailing updates and notifications to users who have visited the website.

Ms. Herman responded that any correspondence to the BRC from members of the public and subscriptions to the e-mail distribution list are directed to the Executive Office of the Board of Supervisors (Executive Office).

Emma De Jesus of the Executive Office stated that there are currently 418 individuals who have subscribed to the BRC e-mail distribution list.

Commissioner Reyes suggested putting an additional notice or pop-up on the redistricting website to inform users visiting the website that they may subscribe to receive e-mail notifications with links to agendas and supporting documents for the BRC.

Ms. Herman stated that staff will add a pop-up notice informing users that they may subscribe to receive e-mail notifications.

5. Report on status of submitted plans. (11-2639)

Mr. Zimmerman reported that eight plans have been submitted thus far. However, one plan will not be reviewed because it is a 16 district plan. Therefore, there are seven valid plans submitted and staff is preliminarily providing four new plans that have recently come in to the BRC members for this meeting. The four plans provided are identified as; F1, G1, H1 and I1. The plan with the most significant amount of change thus far was C1; which had over 1,000 Redistricting Units (RDUs) changing districts. The plan with the least amount of changes is F1; with only 81 RDUs changing districts. Submitted plan information will be provided in detailed plan reports once the Committee holds hearings on submitted plans.

Chair Pedersen inquired about the number of plans that are shared, but not yet submitted.

Mr. Frank Cheng of the Chief Executive Office reported that there are approximately five plans that have been shared, but not yet submitted.

Commissioner Reyes inquired about the number of users who have signed up to create a plan and the length of time each user has spent using the software.

Mr. Cheng stated that there are approximately 200 users who have created an account which include County staff and the software vendor's staff. Additionally, Mr. Cheng stated that the amount of time users have spent on the software is unknown.

Mr. Alan Clayton, member of the public, stated that he has been reviewing submitted plans and noted that the Committee should take careful consideration of how submitted plans treat packing and cracking. Complaints may arise if this is not taken into consideration. Mr. Clayton is glad the Committee put in poverty data and that it is very helpful when drawing a map.

Mr. Clayton is concerned that the current benchmark indicates that the First District has 62.9 percent Spanish surnamed registration; and the next highest district with Spanish surnamed registration is only at 28.9 percent. Mr. Clayton indicated that if you can reasonably draw two districts using criteria that the courts have laid down (and any other criteria that allow you to draw in terms of poverty and other issues), you may draw two districts that are reasonably compact that are 50 percent of a Citizen Voting Age Population (CVAP) for a group. Complaints may arise if this is not taken

into consideration.

Commissioner Ollague inquired if the Committee should consider drawing two districts with a Spanish surname registration CVAP that is 51 percent or greater.

Mr. Clayton responded that the key issue to remember is if you can draw two reasonably compact districts where you have one packed district. Section 5 of the Voting Rights Act does not apply to the 2011 Los Angeles County redistricting process. Mr. Clayton also warned the Committee of plans that include only one district with 50 percent CVAP.

Chair Pedersen asked if Mr. Clayton was referring only to CVAP.

Mr. Clayton clarified that in addition to CVAP he also considers registered voting age population. Based on recent Supreme Court cases, CVAP is the standard. Furthermore, Mr. Clayton reviews CVAP when creating two districts.

Commissioner Martinez asked if Commissioner Ollague was referring to whether the Committee would establish criteria for the evaluation of submitted plans and if staff will help identify minimum requirements.

Chair Pedersen stated that this was done during the 2001 redistricting process.

Commissioner Martinez further inquired if staff will inform the Committee of submitted plans that should not be considered because they violate certain statutes or have civil rights violations.

Ms. Nancy Takade of County Counsel informed the Committee that it is unclear at this time as to the degree of analysis that will be performed initially. This will also be discussed under Item 7 of the BRC agenda. Part of the uncertainty is attributable to the fact that it is not yet known how many plans will be submitted and whether a threshold set of criteria is needed. In addition, if there are many submitted plans, then the Committee may have to develop a protocol as to how to identify those plans they feel should receive further consideration.

Commissioner Reyes suggested the use of outside counsel to assist the Committee in answering these types of questions.

Ms. Takade stated that the use of outside counsel is dependent on the number of submitted plans, as the budget for outside counsel is not unlimited; however staff is trying to find a balance for all of these considerations.

Steven Ochoa, National Redistricting Coordinator for the Mexican American Legal Defense and Educational Fund (MALDEF) addressed the Committee. Mr. Ochoa stated that MALDEF has been very busy preparing and submitting plans for the statewide redistricting.

MALDEF believes that there are two Section 2 Latino districts here in Los Angeles County. They believe the two districts can be drawn to meet all of the threshold requirements of Section 2 of the Voting Rights Act. For example, they are sufficiently compact and large enough, they vote as a block, and there are polarized voting results to back up the data. MALDEF will be submitting a plan for Los Angeles County.

6. Consideration of additional redistricting data. (11-2641)

Mr. Zimmerman reported that item 6 is a standing item on the BRC agenda in case there are any additional proposals. Furthermore, all prior redistricting data requests by the BRC are now available on the County's redistricting website.

Mr. Alan Clayton, stressed the importance of two non-incumbent elections which occurred in 2006 that should be included. The first was a Democratic Primary election for California Attorney General that featured Jerry Brown versus Rocky Delgadillo. The second election was the Democratic Primary for California Secretary of State between Debra Ortiz versus Debra Bowen. Both elections were highly contested. Mr. Clayton questioned the reasoning behind some of the elections and propositions that were included as reference layers. The significance of the aforementioned elections mentioned pertains to a minority candidate running against a non-minority candidate. Mr. Clayton urged the Committee to consider adding these two elections.

Commissioner Ollague inquired about the results of the two elections Mr. Clayton mentioned and what his data revealed.

Mr. Clayton stated that both elections were highly contested statewide elections. Additionally, reviewing the election results in Los Angeles County and within each district reveals major differences in how the

candidates faired in their respective elections. This information is useful when drawing maps.

7. Consideration of deadline for submitting redistricting plans. (11-2642)

Chair Pedersen indicated that Commissioners representing the First District suggested an additional two-week extension of the deadline for submission of redistricting plans by members of the public. Staff recommended retaining the June 2, 2011 deadline; however, the item was up for discussion.

Commissioner Napolitano inquired about any correspondence received from the public requesting an extension of the June 2, 2011 deadline.

Mr. Zimmerman stated no letters or e-mails have been received requesting an extension of the June 2, 2011 deadline thus far. However, Commissioner Ollague mentioned that she had received some correspondence regarding the extensions of the deadline.

Commissioner Hoffenblum expressed his concern extending the deadline, in particular for those who had already submitted a plan. Although Commissioner Hoffenblum stated that a two-week extension is excessive, he is not entirely against a deadline extension.

Chair Pedersen expressed his concern for extending the deadline which would result in additional meetings for the Committee.

Vice Chair Holoman indicated that stakeholders she spoke with were concerned about the simultaneous redistricting efforts between the State and the County. Vice Chair Holoman acknowledged Chair Pedersen's concerns about extending the deadline; however, due to the concurrent State redistricting process, ample time should be given to the community to submit a County redistricting plan.

Commissioner Napolitano reiterated Commissioner Hoffenblum's concerns that there must be a compelling reason to extend the deadline. Additionally, the Committee has not received any written requests for a deadline extension.

Commissioner Harris stated that the Committee just heard testimony from Mr. Ochoa, a MALDEF representative, who informed the Committee that he has been unable to attend any BRC meeting because he has been

heavily involved in the State redistricting process and if that is any reflection of latent interest among people who have been following the County's redistricting process, the Committee should consider extending the deadline for submission.

Commissioner Martinez stated that BRC members were appointed to serve as representatives of the community and the Board of Supervisors. As such, a request to extend the deadline from a Commissioner is a request to extend the deadline from a member of the public. She agreed that the Committee is compelled to give some sort of extension in light of the State redistricting process occurring simultaneously to the County's redistricting efforts. However, if the Committee feels two weeks is too long, perhaps the extension can be ten days or one week.

Mr. Alan Clayton, stated that he plans on submitting two plans on June 2nd. However, if an extension is granted, he may submit additional plans. Mr. Clayton stated he is involved in other redistricting efforts, but did not create a map for the State.

Mr. Steven Ochoa stated that MALDEF submitted three statewide maps. MALDEF has been heavily involved in the new statewide redistricting process. Mr. Ochoa stated that extending the submission deadline would also increase transparency and provide the Committee with higher quality maps. Mr. Ochoa stated that any deadline extension would be greatly appreciated.

Chair Pedersen stated that organizations or individuals who submit a plan will have an opportunity to present their plan to the Committee and answer questions posed by the BRC members.

Commissioner Hoffenblum asked Mr. Ochoa if MALDEF would submit a plan if the deadline extension is granted. Additionally, would MALDEF be able to submit a plan with only a one week extension?

Mr. Ochoa stated that yes, MALDEF will submit a plan. Although, a two-week extension would be best, one week would be sufficient time for MALDEF to develop and submit a map.

Commissioner Hoffenblum inquired if Mr. Ochoa is personally aware of any other groups or organizations, which want to submit a plan for the County, but were unable to do so because of their involvement in the statewide redistricting process and would like a deadline extension.

Mr. Ochoa stated that he does not feel comfortable speaking for any other group or organization.

Ms. Rani Wood, Redistricting & Strategy Outreach Manager, LA County Federation of Labor would like to extend her support for the deadline submission extension in light of the all of the work being done with the statewide commission. Furthermore, it would be in the best interests of the community to grant the extension.

Commissioner Hatanaka inquired about the consequences of extending the submission deadline.

Mr. Zimmerman responded that it was hard to conjecture but that there could be people who made the effort to submit their plans on time and might feel disadvantaged if the submission deadline is extended. Should the Committee decide to extend the deadline, staff would notify everyone on the e-mail distribution list, a pop-up would be placed on the redistricting website and a press release would likely be issued.

Mr. Ochoa stated that the deadline for submitting a plan to the California Citizens' Redistricting Commission was extended three weeks upon request.

Commissioner Hoffenblum stated that he does not like changing deadlines, but also understands the importance that MALDEF places on submitting a plan and if they can complete a plan in a week he would be receptive to a one week extension, but two weeks is too long.

Mr. Ochoa reiterated that MALDEF would be able to generate a plan in one week.

Vice Chair Holoman inquired about the possibility of informing those who have already submitted a plan to possibly tweak their plan if an extension is granted.

Mr. Zimmerman stated that staff has begun a detailed analysis of submitted plans and recommended against suggesting to submitters that they may wish to resubmit their plans. However, they will be notified if a deadline extension is approved.

Commissioner Reyes introduced a motion to extend the deadline for submission of plans by the public to June 10, 2011.

Ms. Takade suggested that the revised deadline end at 5 p.m. on June 10, 2011.

Commissioner Reyes amended his original motion and stated that the BRC deadline for a member of the public to submit a redistricting plan be extended to June 10, 2011 at 5 p.m.

Mr. Ochoa thanked the Commission for their hard work and stated that the June 10, 2011 extension coincides with the State releasing their submitted plans on the same date.

Mr. Zimmerman stated that the Committee had previously expressed a preference not to review any submitted plans, until all plans are received. However, in light of the extension, Mr. Zimmerman suggested that the Committee revise that approach in order to begin reviewing plans.

Chair Pedersen asked Ms. Takade if a vote would be required. Ms. Takade responded by stating a vote was not necessary and that an action item would be placed on the agenda for the next BRC meeting.

Chair Pedersen inquired about the possibility of reviewing submitted plans at the next BRC meeting.

Ms. Takade and Mr. Zimmerman stated that staff will begin preparing the plans for review.

Commissioner Hatanaka inquired about the need to have the plan submitter present while his/her plan is under review.

Mr. Zimmerman stated although it is not required to have the plan submitter attend the meeting. They will be notified that their plan is scheduled for review at a BRC meeting and it would be up to them if they wish to appear. The Committee may want to begin providing guidance as to the depth of review, depending on passing certain criteria for plans that are submitted. It is possible to have so many plans that the Committee would be unable to give all plans equal consideration.

Ms. Takade indicated that this is something to think about as the Committee moves forward through the process. Considerations may change depending on the number of plans submitted. Additionally, the Committee may not want to conduct a full in-depth legal analysis on all submitted plans.

Vice Chair Holoman inquired about what the process is for submitted plans once they are reviewed by staff and presented to the Committee.

Mr. Zimmerman reported that staff would present the plan before the Committee similar to the analysis and presentation on the benchmark plan. Proposers would have a chance to testify on the objectives of their plan. Committee members would then have the opportunity to ask questions to the proposer or staff regarding the plans' compliance or its merits.

Commissioner Hatanaka is concerned about maintaining consistency throughout the plan review process. Also, there was reference earlier to a memo regarding the review process from 2001. If there is such a memo, he would like to see it.

Ms. Takade indicated that a new memo for each plan would be drafted and forwarded to the Committee.

Commissioner Hoffenblum indicated that there may be illegal plans submitted by individuals who have no idea about redistricting laws. The Committee should not waste their time on such plans and there must be a way to distinguish between these plans.

Vice Chair Holoman asked how many plans were submitted in 2001.

Chair Pedersen indicated that there were approximately three plans submitted in 2001.

Commissioner Ollague suggested that the Committee consider discussing the development guiding principles for reviewing these plans and should consider CVAP data as indicated by Mr. Alan Clayton and Mr. Steve Ochoa.

Commissioner Acebo recalled a presentation by County Counsel regarding the many different guideposts in reapportionment, and there were a number of them that the Committee must consider during the review process of submitted plans. Thus, the Committee would be guided by precedent, both statutes and case law.

Ms. Takade confirmed Commissioner Acebo's comment and added that staff is developing a method to describe the plans in categories that would be useful to the Committee without overemphasizing any one factor above another. Additionally, a narrative memo will be drafted for the Committee's consideration.

Commissioner Reyes asked when that memo would be ready.

Ms. Takade stated that the memos are being prepared for the plans that have been submitted, and as the Committee moves forward with the review of plans, the memos may be adjusted or refined to look at additional matters, if the Committee so requests.

Chair Pedersen indicated that after the first plan is reviewed, the Committee may ask for further refinement for future plans.

Ms. Takade indicated that she will take into consideration the Committee's concerns and suggestions and will be mindful when developing categories for these memos that will accompany the plan analysis.

Commissioner Martinez suggested that the Committee omit submitted plans with a 75 percent or more Hispanic majority in the First District.

Ms. Takade indicated that would difficult to do at this point, due to the fact that not all plans have been submitted. However, the Committee may consider that moving forward.

Commissioner Martinez reiterated that the First District will not support any number that is higher than the current one.

Commissioner Hoffenblum reiterated that members of the public may confuse the State redistricting process and the County's. In addition, it's important to remind the public that the Committee is here to advise the Board of Supervisors, because once the BRC's recommended plan has been submitted to the Board, they may make adjustments to that plan.

Commissioner Hatanaka is concerned as to how the Committee will incorporate the input received at the community meetings. Commissioner Hatanaka stated that the main point from members of the public made at the community meetings was how to maintain their communities. Chair Pedersen indicated that community interest is one of the factors the Commission will consider when reviewing and discussing submitted plans. Furthermore, as the process moves forward, it is of critical importance that the Committee maintains good attendance.

Commissioner Acebo agreed with Commissioner Hatanaka that community interest is a very important factor when considering submitted plans and must be weighed equally with other factors.

On motion of Commissioner Reyes, seconded by Commissioner Hoffenblum, the deadline for submission of redistricting plans by members of the public was extended to June 10, 2011 at 5 p.m.

Ayes: 10 - Chair Pedersen, Vice Chair Holoman, Commissioner Reyes, Commissioner Ollague, Commissioner Harris, Commissioner Friedman, Commissioner Acebo, Commissioner Hatanaka, Commissioner Hoffenblum and Commissioner Sun

Excused: 10 - Commissioner Andrade, Commissioner Martinez, Commissioner Choi, Commissioner Escandon, Commissioner Flores, Commissioner Hollister, Commissioner Napolitano, Commissioner Hernandez, Commissioner Mejia and Commissioner Tse

Attachments: [SUPPORTING DOCUMENT – BRC Memo on Deadline for Submission](#)

III. FUTURE MEETINGS

8. Future dates for Boundary Review Committee meetings. (11-2643)

Mr. Zimmerman reported only one change to BRC meeting schedule; the addition of a meeting on Wednesday July 6, 2011. The Executive Office will also need to work closely with Committee members to ensure quorums at future meetings.

Chair Pedersen hopes to have more than just a quorum at future BRC meetings especially when reviewing submitted plans. Any future meetings that would need to be added will be discussed at the June 15, 2011 when all plans would have been submitted.

Attachments: [SUPPORTING DOCUMENT – Revised Proposed Boundary Review](#)

IV. MISCELLANEOUS

Matters Not Posted

9. Matters not on the posted agenda, to be discussed and (if requested) placed on the agenda for action at a future meeting of the Committee, or matters requiring immediate action because of an emergency situation or where the need to take action arose subsequent to the posting of the agenda. (11-2634)

Commissioner Napolitano questioned the need to have two public comment portions as seen on agenda item 10 and 11.

Chair Pedersen stated that once plans are up for review, item 11 will be irrelevant.

Commissioner Reyes agreed.

Mr. Zimmerman indicated that item 11 will be removed for future meetings.

Public Comment

10. Opportunity for members of the public to address the Committee on items of interest that are within the jurisdiction of the Committee. (11-2632)

Mr. Alan Clayton thanked the Commissioners for allowing him to speak and he realizes that any plan submitted may be ultimately adjusted by the Board of Supervisors.

11. Opportunity for members of the public to address the Committee regarding Supervisorial Redistricting, including identification of communities of interest, important factors to consider and address in determining boundaries, boundary changes desired and not desired, and other relevant issues for the Committee to consider in developing a recommended Supervisorial Redistricting Plan. (11-2633)

There was none.

Adjournment

12. Adjournment for the meeting of June 1, 2011. (11-2635)

The meeting was adjourned at 4:40 p.m.